

SEC. 3. The representative of the Department of State, in addition to serving as chairman, shall have primary responsibility for the collection of comprehensive information on current and impending developments pertaining to amateur athletics, and he shall make such information available to the Committee.

JOHN F. KENNEDY

THE WHITE HOUSE,
August 13, 1963.

[F.R. Doc. 63-8837; Filed, Aug. 14, 1963; 1:44 p.m.]

Rules and Regulations

Title 7—AGRICULTURE

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Tree Nuts), Department of Agriculture

PART 948—IRISH POTATOES GROWN IN COLORADO

Expenses and Rate of Assessment; Area No. 2

Notice of rule making regarding proposed expenses and a proposed rate of assessment, to be effective under Marketing Agreement No. 97, as amended, and Order No. 948, as amended (7 CFR Part 948), regulating the handling of Irish potatoes grown in Colorado, was published in the July 27, 1963, FEDERAL REGISTER (28 F.R. 7676). This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The notice afforded interested persons an opportunity to submit data, views, or arguments pertaining thereto not later than 10 days following publication in the FEDERAL REGISTER. None was filed.

After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice which were recommended by the area committee for Area No. 2, established pursuant to the said amended marketing agreement and order, it is hereby found and determined that:

§ 948.244 Expenses and rate of assessment; Area No. 2

(a) The reasonable expenses that are likely to be incurred during the fiscal period beginning June 1, 1963, and ending May 31, 1964, by the area committee for Area No. 2 for its maintenance and functioning, and for such purposes as the Secretary determines to be appropriate, will amount to \$13,499.85.

(b) The rate of assessment to be paid by each handler in Area No. 2 in accordance with the amended Marketing Agreement and this part, shall be \$0.002415 per hundredweight of potatoes grown in such area handled by him as the first handler thereof during said fiscal period.

(c) Terms used in this section have the same meaning as when used in Marketing Agreement No. 97, as amended, and this part.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: August 13, 1963.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 63-8796; Filed, Aug. 15, 1963; 8:53 a.m.]

PART 993—DRIED PRUNES PRODUCED IN CALIFORNIA

Expenses of the Prune Administrative Committee for 1963-64 Crop Year and Rate of Assessment

Notice was published in the July 31, 1963 issue of the FEDERAL REGISTER (28 F.R. 7787) regarding proposed expenses of the Prune Administrative Committee for the 1963-64 crop year and rate of assessment for that crop year, pursuant to §§ 993.80 and 993.81 of the marketing agreement, as amended, and Order No. 993, as amended (7 CFR Part 993), regulating the handling of dried prunes produced in California. The amended marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The notice afforded interested persons an opportunity to submit written data, views, or arguments with respect to the proposal. None were received within the time prescribed therefor.

After consideration of all relevant matters presented, including those in the notice, the information and recommendations submitted by the Prune Administrative Committee, and other available information, it is found that the expenses of the Prune Administrative Committee and the rate of assessment for the crop year beginning August 1, 1963, shall be as follows:

§ 993.314 Expenses of the Prune Administrative Committee and rate of assessment for the 1963-64 crop year.

(a) *Expenses.* Expenses in the amount of \$67,500 are reasonable and likely to be incurred by the Prune Administrative Committee during the crop year beginning August 1, 1963, for its maintenance and functioning and for such other purposes as the Secretary may, pursuant to the applicable provisions of the marketing agreement, as amended, and this part, determine to be appropriate.

(b) *Rate of assessment.* The rate of assessment for such crop year which each handler is required, pursuant to § 993.81, to pay to the Prune Administrative Committee as his pro rata share of the said expenses is fixed at 50 cents per ton of prunes received by him from producers and dehydrators.

It is further found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1003(c)) in that: (1) The relevant provisions of said marketing agreement and order require that the rate of assessment fixed for a particular crop year which handlers are required to pay shall be applicable to all prunes received by a handler from producers and dehydrators during that crop year; and

(2) the current crop year began on August 1, 1963, and the rate of assessment fixed herein will automatically apply to all such prunes beginning with that date.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: August 12, 1963.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 63-8781; Filed, Aug. 15, 1963; 8:50 a.m.]

Title 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

PART 1—STATEMENT OF ORGANIZATION, DELEGATIONS, AND GENERAL INFORMATION

Organization Pattern; Office of the General Manager

The Atomic Energy Commission has adopted 10 CFR Part 160, "Trespassing on Commission Property," published this day in the FEDERAL REGISTER, and has delegated to the General Manager authority to designate the facilities, installations and real property under the jurisdiction or administration or in the custody of the Commission which will be subject to the prohibitions of that part.

The following amendment of 10 CFR 1.4 and 1.20 reflects the delegation of authority to the General Manager.

Pursuant to the Administrative Procedure Act, 1 CFR 13.2, and the Atomic Energy Act of 1954, as amended, the following amendment of Part 1 of the Commission's regulations is published as a document subject to codification, effective upon publication in the FEDERAL REGISTER.

1. Section 1.4 *Organization pattern* is amended by the deletion of paragraph (d) and the substitution of a revised paragraph (d) to read as follows:

§ 1.4 Organization pattern.

(d) Subject to the provisions of 161 n. of the Atomic Energy Act of 1954, as amended, and subject to policy and program approval of the Commission, the General Manager is authorized and directed to discharge the administrative and executive (but not the licensing and other regulatory) functions of the Commission, including the designation of facilities, installations and real property subject to the jurisdiction or administration, or in the custody of the Atomic Energy Commission, which shall be subject to the prohibitions of Part 160 of this chapter. The Deputy General Manager acts in the stead of the General

Manager and in his absence when so directed by the General Manager, and performs such other administrative and executive functions as the General Manager directs. The Assistant General Manager performs such administrative and executive functions as the General Manager directs. The other Assistant General Managers are each delegated responsibility for a major functional area composed of a number of separate but related programs.

2. Section 1.20 *Office of the General Manager* is amended by the deletion of paragraph (e) and the substitution of a revised paragraph (e) to read as follows:

§ 1.20 Office of the General Manager.

(e) The General Manager discharges delegated functions through such officers, employees, and agencies of the Commission as he may designate and may exercise the statutory authorities of the Commission in the discharge of those functions. Any authority delegated may, within the discretion of the General Manager be redelegated with or without authority to make successive redelegations and under such terms, conditions and limitations as he may deem appropriate, except the authority to designate which facilities, installations and real property will be subject to the prohibitions of Part 160 of this chapter.

(Secs. 161, 229, 68 Stat. 948, 70 Stat. 1070; 42 U.S.C. 2201, 2278a)

Dated at Washington, D.C., this 9th day of August 1963.

For the Atomic Energy Commission.

F. T. HOBBS,
Acting Secretary.

[F.R. Doc. 63-8778; Filed, Aug. 15, 1963; 8:49 a.m.]

PART 160—TRESPASSING ON COMMISSION PROPERTY

The following regulations implement section 229 of the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2278 a., which reads as follows:

Sec. 229. *Trespass Upon Commission Installations.*

a. The Commission is authorized to issue regulations relating to the entry upon or carrying, transporting, or otherwise introducing or causing to be introduced any dangerous weapon, explosive, or other dangerous instrument or material likely to produce substantial injury or damage to persons or property, into or upon any facility, installation or real property, subject to the jurisdiction, administration, or in the custody of the Commission. Every such regulation of the Commission shall be posted conspicuously at the location involved.

b. Whoever shall willfully violate any regulation of the Commission issued pursuant to subsection a. shall, upon conviction thereof, be punishable by a fine of not more than \$1,000.

c. Whoever shall willfully violate any regulation of the Commission issued pursuant to subsection a. with respect to any installation or other property which is enclosed by a fence, wall, floor, roof, or other structural barrier shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not to exceed \$5,000 or to imprisonment for not more than one year, or both.

Pursuant to the Atomic Energy Act of 1954, as amended, and the Administrative Procedure Act, the following regulations are published as a document subject to codification, to be effective thirty (30) days after publication in the FEDERAL REGISTER.

Sec.

- 160.1 Purpose.
- 160.2 Scope.
- 160.3 Trespass.
- 160.4 Unauthorized introduction of weapons or dangerous materials.
- 160.5 Violations and penalties.
- 160.6 Posting.
- 160.7 Effective date of prohibition on designated locations.
- 160.8 Applicability of other laws.

AUTHORITY: §§ 160.1 to 160.8 issued under secs. 161 and 229, 68 Stat. 948; 70 Stat. 1070; 42 U.S.C. 2201, 2278a.

§ 160.1 Purpose.

The regulations in this part are issued for the protection and security of facilities, installations and real property subject to the jurisdiction or administration, or in the custody of, the Atomic Energy Commission.

§ 160.2 Scope.

The regulations in this part apply to all facilities, installations and real property subject to the jurisdiction or administration of the Atomic Energy Commission or in its custody which have been posted with a notice of the prohibitions and penalties set forth in this part, but do not extend to residential or commercial sites in communities owned by the Atomic Energy Commission.

§ 160.3 Trespass.

Unauthorized entry upon any facility, installation or real property subject to this part is prohibited.

§ 160.4 Unauthorized introduction of weapons or dangerous materials.

Unauthorized carrying, transporting, or otherwise introducing or causing to be introduced any dangerous weapon, explosive, or other dangerous instrument or material likely to produce substantial injury or damage to persons or property, into or upon any facility, installation or real property subject to this part, is prohibited.

§ 160.5 Violations and penalties.

(a) Whoever willfully violates either § 160.3 or § 160.4 shall, upon conviction, be punishable by a fine of not more than \$1,000.

(b) Whoever willfully violates either § 160.3 or § 160.4 with respect to any facility, installation or real property enclosed by a fence, wall, floor, roof, or other structural barrier shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not to ex-

ceed \$5,000 or imprisonment for not more than one year, or both.

§ 160.6 Posting.

Notices stating the pertinent prohibitions of § 160.3 and 160.4 and penalties of § 160.5 will be conspicuously posted at all entrances of each designated facility, installation or parcel of real property and at such intervals along the perimeter, as will provide reasonable assurance of notice to persons about to enter.

§ 160.7 Effective date of prohibition on designated locations.

The prohibitions in §§ 160.3 and 160.4 shall take effect as to any facility, installation or real property on publication in the FEDERAL REGISTER of the notice designating the facility, installation or real property and posting in accordance with § 160.6.

§ 160.8 Applicability of other laws.

Nothing in this part shall be construed to affect the applicability of the provisions of State or other Federal laws.

Dated at Washington, D.C., this 9th day of August 1963.

For the Atomic Energy Commission.

F. T. HOBBS,
Acting Secretary.

[F.R. Doc. 63-8752; Filed, Aug. 15, 1963; 8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER E—AIRSPACE [NEW]

[Airspace Docket No. 63-WE-8]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Revocation of Segment of Federal Airway

On April 27, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 4205) stating that the Federal Aviation Agency (FAA) proposed to amend Part 71 [New] of the Federal Aviation Regulations by revoking the segment of VOR Federal airway No. 16 north alternate and its associated control areas between Blythe, Calif., and Buckeye, Ariz.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted and no adverse comments were received.

The substance of the proposed amendment having been published and for the reasons stated in the notice, the following action is taken:

Section 71.123 (27 F.R. 220-6, November 10, 1962, 27 F.R. 12439, 28 F.R. 2229, 3584) is amended as follows:

In V-16 "Buckeye, Ariz., including an N alternate via INT Blythe 079° and Buckeye 291° radials;" is deleted and "Buckeye, Ariz.," is substituted therefor.

This amendment shall become effective 0001 e.s.t., October 17, 1963.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on August 8, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-8754; Filed, Aug. 15, 1963;
8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket C-531]

PART 13—PROHIBITED TRADE PRACTICES

Allen Carpet Shops, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.155 *Prices*; § 13.155-10 *Bait*; § 13.155-100 *Usual as reduced, special, etc.*; § 13.180 *Quantity*; § 13.180-30 *In stock*; § 13.240 *Special or limited offers*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Allen Carpet Shops, Inc., et al., Jamaica, Long Island, N.Y., Docket C-531, July 26, 1963]

In the Matter of Allen Carpet Shops, Inc., a Corporation, and Jack Allen, Irving Allen, Edward Allen, and William Snyder, Individually and as Officers of Said Corporation, and Martin Herman, Individually and as General Manager of Said Corporation

Consent order requiring Jamaica, Long Island, retailers of floor carpeting and rugs to cease representing falsely in advertisements in newspapers that they were offering their products at half price and less when such prices were actually half offers; that the offers applied to all their stock and that they had a sufficient quantity on hand to meet the demand; and that sales were limited to specified periods.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents, Allen Carpet Shops, Inc., a corporation, and its officers, and Jack Allen, Irving Allen, Edward Allen and William Snyder, individually and as officers of said corporation, and Martin Herman, individually and as general manager of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of carpeting, rugs or other articles of merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, through the use of the expressions "½ Price Broadloom Sale", "50% Savings", "Save ½", "Reduced 20% to 60%", or any other words, terms or expressions of similar import or meaning, that mer-

chandise has been sold by respondents in the recent, regular course of their business at a price which is in excess of the price at which said merchandise has been usually and regularly sold by respondents at retail in the recent, regular course of their business; or otherwise misrepresenting the respondents' usual and customary retail selling price of such merchandise.

2. Representing, directly or by implication, that the prices at which merchandise is offered for sale are a reduction from or offer savings from the respondents' usual and customary regular selling price unless the prices at which said merchandise is offered in fact constitute a reduction from or savings from respondents' usual and customary retail selling price of the said merchandise in the recent, regular course of their business.

3. Misrepresenting in any manner the savings available to purchasers of respondents' merchandise.

4. Representing, directly or by implication, that carpeting, rugs or other articles of merchandise are offered for sale when such offer is not a bona fide offer to sell the merchandise so, and as, offered.

5. Representing, directly or by implication, that certain prices, terms or conditions of sale are applicable to all or a substantial part of respondents' stock of merchandise or to all or a substantial part of certain kinds or styles of rugs, carpeting or other articles of merchandise when such prices, terms or conditions of sale are restricted to lesser quantities or amounts of said merchandise.

6. Advertising limited quantities of said carpeting, rugs or other articles of merchandise for sale without clearly and conspicuously revealing that quantities of said merchandise are inadequate to meet reasonable demands.

7. Representing, directly or by implication, that the sale of carpeting, rugs or other merchandise at certain prices, terms or conditions is limited to specified days or periods of time, when said limitation is not actually observed.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: July 26, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 63-8764; Filed, Aug. 15, 1963;
8:46 a.m.]

[Docket C-530]

PART 13—PROHIBITED TRADE PRACTICES

Fernbacher-Lobe Inc. of San Francisco et al.

Subpart—Concealing, obliterating or removing law required and informative marking: § 13.512 *Fur products tags*

or identification. Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely*; § 13.1108-45 *Fur Products Labeling Act*. Subpart—Misbranding or mislabeling: § 13.1212 *Formal regulatory and statutory requirements*; § 13.1212-30 *Fur Products Labeling Act*. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition*; § 13.1845-30 *Fur Products Labeling Act*; § 13.1865 *Manufacture or preparation*; § 13.1865-40 *Fur Products Labeling Act*; § 13.1900 *Source or origin*; § 13.1900-40 *Fur Products Labeling Act*; § 13.1900-40(b) *Place*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; Sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Fernbacher-Lobe Inc. of San Francisco et al., San Francisco, Calif., Docket C-530, July 26, 1963]

In the Matter of Fernbacher-Lobe Inc. of San Francisco, a Corporation, Formerly Fernbacher-Lobe Co., Inc. and Selwyn Sachs and William A. Colsky, Individually and as Officers of Said Corporation and Irwin S. Cohen, Individually and as a Stockholder of Said Corporation

Consent order requiring San Francisco furriers to cease violating the Fur Products Labeling Act by failing to use the term "natural" on labels and invoices of fur products which were not artificially colored; failing to disclose on invoices the true animal name of furs and the country of origin of imported furs, and when fur was artificially colored; substituting non-conforming labels for those attached by the manufacturer or distributor and, in connection therewith, failing to preserve the required records; and failing in other respects to comply with labeling and invoicing requirements.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Fernbacher-Lobe Inc. of San Francisco, a corporation, formerly Fernbacher-Lobe Co., Inc., and its officers and Selwyn Sachs and William A. Colsky, individually and as officers of said corporation, and Irwin S. Cohen, individually and as a stockholder of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the sale, advertising, offering for sale, transportation or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce as "commerce", "fur" and "fur product" are defined in the Fur Products Labeling Act do forthwith cease and desist from:

A. Misbranding fur products by:

1. Setting forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form on labels affixed to fur products.

2. Failing to set forth the term "natural" as part of the information

required to be disclosed on labels under the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe fur products which are not pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

3. Setting forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder mingled with non-required information on labels affixed to fur products.

4. Failing to completely set out information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations thereunder on one side of the labels affixed to fur products.

5. Setting forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in handwriting on labels affixed to fur products.

6. Failing to set forth on labels the item number or mark assigned to fur products.

7. Failing to set forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder on labels in the sequence required by Rule 30 of the aforesaid rules and regulations.

B. Falsely or deceptively invoicing fur products by:

1. Failing to furnish invoices to purchasers of fur products showing in words and figures plainly legible all the information required to be disclosed in each of the subsections of section 5(b) (1) of the Fur Products Labeling Act.

2. Failing to set forth the term "natural" as part of the information required to be disclosed on invoices under the Fur Products Labeling Act and rules and regulations promulgated thereunder to describe fur products which are not pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

3. Failing to set forth on invoices the item number or mark assigned to fur products.

It is further ordered, That respondents Fernbacher-Lobe Inc. of San Francisco, a corporation, formerly Fernbacher-Lobe Co., Inc., and its officers and Selwyn Sachs, and William A. Colsky, individually and as officers of said corporation, and Irwin S. Cohen, individually and as a stockholder of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, sale, advertising or offering for sale, in commerce or the processing for commerce, of fur products; or in connection with the selling, advertising, offering for sale, or processing of fur products which have been shipped and received in commerce do forthwith cease and desist from:

A. Misbranding fur products by substituting for the labels affixed to such fur products pursuant to section 4 of the Fur Products Labeling Act, labels which do not conform to the requirements of the aforesaid Act and the rules and regulations promulgated thereunder.

B. Failing to keep and preserve the records required by the Fur Products

Labeling Act and the rules and regulations promulgated thereunder in substituting labels as permitted by section 3 (e) of the said Act.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: July 26, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 63-8765; Filed, Aug. 15, 1963;
8:47 a.m.]

[Docket C-532]

PART 13—PROHIBITED TRADE PRACTICES

Juvenile Furniture Manufacturing Co., et al.

Subpart—Advertising falsely or misleadingly: § 13.15 *Business status, advantages, or connections*; § 13.15-235 *Producer status of dealer or seller*; § 13.15-235(m) *Manufacturer*; § 13.15-270 *Size and extent*; § 13.155 *Prices*; § 13.155-40 *Exaggerated as regular and customary*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Juvenile Furniture Manufacturing Company (Louisville, Ky.) et al., Docket C-532, July 26, 1963]

In the Matter of Juvenile Furniture Manufacturing Company, a Corporation, and Mary Deen Gerstle, Irvine Gerstle, and Joseph F. Lusk, Individually and as Officers of Said Corporation

Consent order requiring Louisville, Ky., retailers of children's and youth's furniture to cease representing falsely, through use of the word "manufacturing" in their corporate name and such statements in advertising as "Get Down to Earth Prices From the Factory," that they were manufacturers of the merchandise; and advertising falsely in newspapers, by use of a higher "Reg." and a lower "Now" price, that their usual prices were reduced by the difference, and that they had "Stores From Coast to Coast" when they actually had two.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents, Juvenile Furniture Manufacturing Company, a corporation, and its officers, and Mary Deen Gerstle, Irvine Gerstle and Joseph F. Lusk, individually and as officers of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of children's and youth's furniture or other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the word "manufacturing", or any other word or words of similar import or meaning, as part of respondents' trade or corporate name or representing, directly or by implication, in any other manner, that they own or operate a factory or manufacture the merchandise sold by them.

2. Using the words "Reg.—Now" and "Was—Now", or words of similar import, to refer to any amount which is in excess of the price or prices at which such merchandise has been usually and regularly sold by respondents at retail in the recent, regular course of their business.

3. Representing, directly or by implication, that:

a. Any amount is respondents' usual and customary retail price of merchandise when it is in excess of the price or prices at which such merchandise is usually and customarily sold by respondents at retail in the recent, regular course of their business.

b. Any saving from respondents' usual and customary retail price is afforded to the purchasers of respondents' merchandise unless the price at which it is offered constitutes a reduction from the price or prices at which said merchandise has been usually and customarily sold by respondents in the recent, regular course of their business.

4. Misrepresenting, by means of comparative prices, or in any other manner, the savings available to purchasers of respondents' merchandise.

5. Representing, directly or by implication, that their operations are national in scope; or misrepresenting in any manner the size or scope of their business.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: July 26, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 63-8766; Filed, Aug. 15, 1963;
8:47 a.m.]

Title 32A—NATIONAL DEFENSE, APPENDIX

Chapter I—Office of Emergency Planning

OEP CIRCULAR 9700.1—THE NATIONAL DEFENSE EXECUTIVE RESERVE

* 1. *Purpose*. This Circular prescribes the basic objectives, authorities, organization and administration for the National Defense Executive Reserve. Subsequent circulars will cover more detailed aspects of the program.

2. *Cancellation*. Defense Mobilization Order I-21 (revised) dated May 19, 1958 (23 F.R. 3529), is hereby cancelled.

3. *Authorities.* Section 710(e) of the Defense Production Act of 1950, as amended; Executive Order 10660, of February 15, 1956, as amended, establishing a National Defense Executive Reserve; and Section 305 of Executive Order 11051 of September 27, 1962.

4. *Objective.* To provide for an effective reserve of executive talent by identifying, recruiting, and training in advance of such an emergency, an adequate number of executives for utilization within the government in the event of a national emergency.

5. *Organization and administration.*
 a. The Director of the Office of Emergency Planning, under the direction of the President, is responsible for developing the over-all policies and plans for the Executive Reserve Program of the Federal Government. Departments and agencies of the Executive Branch having emergency responsibilities are authorized, subsequent to appropriate consultation with the Director, Office of Emergency Planning, to establish and maintain national and field units of the Executive Reserve, select and designate members of such units, and institute programs for their training and readiness. Each unit of the Executive Reserve shall be under the supervision of the head of the department or agency or a ranking official designated by him for the conduct of the program.

b. In order to assure maximum survivability, members of the Executive Reserve Units should be drawn, as appropriate, from all geographical areas, and from all segments of the economy. Executive Reservists shall be persons with broad experience and qualified to carry out executive responsibilities in time of national emergency. The numbers of such reservists shall be sufficient to meet the projected emergency executive manpower requirements of the agency, but should not exceed the number for which there is a demonstrable need.

c. Each department and agency shall be responsible for maintaining up-to-date records and files on its Executive Reservists. To assist the departments and agencies in this responsibility, a central register of Reserve members will be maintained by the Civil Service Commission. To avoid duplicate invitations, or excessive demands on a single employer, no department or agency shall contact a prospective Executive Reservist until having first checked with the Civil Service Commission to determine whether the individual is (1) an Executive Reservist already, or (2) is being contacted by another agency to become a Reservist. Each department and agency shall notify the Civil Service Commission of persons designated as members of the Reserve.

6. *Security clearance.* The degree of security clearance necessary for each Reservist will be determined by the department or agency involved, in accordance with existing security standards. The official designation of Executive Reservists will be withheld until such security clearance is obtained.

7. *Conflict of interest.* With respect to training activities, Executive Reservists who are not officers or employees of the Executive Branch of the United States Government are exempt from the operation of sections 203, 205, 207, 208, and 209 of Title 18, United States Code. (Public Law 87-849, 87th Congress). Executive reservist training within the meaning of this section does not include advising, consulting or acting on any matter pending before any department or agency. Executive Reservists to be engaged in these latter activities shall be appointed by the agency involved as consultants under appropriate statutory authority. Such Federal employees, on a full or part-time basis, are subject with respect to such employment to the conflict of interest statutes and the provisions of the President's memorandum of May 2, 1963.

8. *Interagency Committee.* There shall be established and maintained an Interagency National Defense Executive Reserve Committee to advise the Director of the Office of Emergency Planning and the heads of departments and agencies on the coordination of the program of the several Executive Reserve Units. Members of the committee shall be designated by the heads of departments and agencies which have Executive Reserve Units. The Director of the Office of Emergency Planning shall name the Chairman.

Effective date. This circular is effective the date of issuance.

Dated: July 10, 1963.

EDWARD A. McDERMOTT,
 Director,
 Office of Emergency Planning.

[F.R. Doc. 63-8753; Filed, Aug. 15, 1963; 8:45 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

PART 121—FOOD ADDITIVES

Subpart A—Definitions and Procedural and Interpretative Regulations

FURTHER EXTENSIONS OF EFFECTIVE DATE OF STATUTE FOR CERTAIN SPECIFIED FOOD ADDITIVES

As provided in the Federal Food, Drug, and Cosmetic Act (sec. 6(c), Public Law 85-929, as amended sec. 2, Public Law 87-19; 72 Stat. 1788, as amended 75 Stat. 42; 21 U.S.C., note under sec. 342) and delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (25 F.R. 8625), the food additive regulations (21 CFR 121.90, 121.91) are amended as set forth below:

1. Section 121.90 *Further extensions of effective date of statute for certain specified food additives as direct additives to food* is amended in the following respects:

a. The effective date of the following items is extended to June 30, 1964, with a progress report required by January 1, 1964:

- Polyethoxylated alkylphenol, benzyl ether * * *
- Polyethoxylated alkylphenol (dodecyl, nonyl, and octyl) * * *
- Sodium dodecylbenzene sulfonate.
- Sodium 2-ethyl 1-hexylsulfate.
- Sodium lauryl sulfate.

b. The items "Butoxypolyethylene-polypropylene glycol * * *" and "Rosin or hydrogenated rosin polymers * * *" are changed to read as follows:

MISCELLANEOUS

Product	Specified uses or restrictions	Effective date of statute extended to—	Progress report required by—
Butoxypolyethylene-polypropylene glycol (mol. wt. 3800-4200).	Component of defoamer used in production of beet sugar; limit 1 p.p.m. in finished sugar.	Jan. 1, 1964	-----
Rosin or hydrogenated rosin polymers, esterified with methyl alcohol or pentaerythritol.	Component of chewing gum base.....	June 30, 1964	Jan. 1, 1964

2. Section 121.91 *Further extensions of effective date of statute for certain specified food additives as indirect additives to food* is amended in the following respects:

a. The effective date of the following items is extended to January 1, 1964, with no further progress report being required:

- Isobutylene-isoprene copolymer—Used in manufacture of food packaging.
- Polyisobutylene.
- Starch modified with propylene oxide * * *.

b. The effective date of the following items is extended to June 30, 1964, and the date the progress report is required is changed to January 1, 1964:

- Aluminum stearate—Component of coating of paper and paperboard * * *.
- Butyraldehyde.

- Cetyl alcohol.
- Dehydroabietic acid (disproportionated rosin).
- Dicyclohexyl phthalate—Substances used as components of coating * * *.
- Dihydroxy dichlorodiphenylmethane.
- Dimethylpolysiloxane—Component of coating of paper and paperboard * * *.
- N,N'-Diphenyl-p-phenylenediamine.
- Ethylene oxide-methyl formate mixture.
- 2-Ethylhexyl acrylate polymer.
- Hydrogen methylpolysiloxane (Methyl-hydrogen polysiloxane).
- Kerosene, deodorized—Component of paper and paperboard * * *.
- Polyamide resin (thermoplastic) * * *—Component of paper and paperboard * * *; Coating on metallic substrate * * *.
- Polyethylene glycol sorbitan monolaurate.
- Polypropylene glycol.
- Polyvinyl alcohol—In nonedible unsupported films * * *; In sizes for food packaging.
- Quinacridone red.
- Sodium alkyl benzene-sulfonate.

Sodium pentachlorophenate—Component of paper and paperboard * * *
 Sodium o-phenylphenate.
 Sodium polyacrylate.
 Sorbitan tristearate.
 Zinc formaldehyde sulfoxylate.

c. Section 121.91 is amended by adding thereto in alphabetical order the follow-

ing items, some of which were previously extended under generic groups, the changes in nomenclature or uses being necessitated by publication of regulations for certain uses and/or information recently made available to the Food and Drug Administration:

Product	Specified uses or restrictions	Effective date of statute extended to—	Progress report required by—
Butylmethylcyclohexyl phthalate.....	Component of cellophane used for food packaging.	June 30, 1964	Jan. 1, 1964
Coal, anthracite, sulfonated.....	Ion-exchange resin used in food processing.	do	Do.
Dibutyl tartrate.....	Component of cellophane used for food packaging.	do	Do.
Dicyclohexyl tartrate.....	Component of cellophane used for food packaging.	do	Do.
Formaldehyde-acetone-tetraethylene-pentamine resin.....	Ion-exchange resin used in food processing.	do	Do.
Isobutyl methyl cyclohexyl phthalate.....	Component of cellophane used for food packaging.	do	Do.
Phenol-formaldehyde resin, crosslinked, activated with tri- or tetra-ethylene pentamine.....	Ion-exchange resin used in food processing.	do	Do.
Phenol-formaldehyde resin, crosslinked, sulfite modified.....	Ion-exchange resin used in food processing.	do	Do.
Polyethylene glycol (mol. wt. 200 to 300).....	Component of cellophane used for food packaging.	do	Do.
Polyoxypropylene-polyoxyethylene block polymer (mol. wt. 2,750-3,000).....	Treating agent for pulp in the manufacture of cellophane.	do	Do.
Polystyrene, cross-linked, chloromethylated and aminated with trimethylamine and dimethylethanolamine.....	Ion-exchange resin used in food processing.	do	Do.
Sodium cetyl sulfate.....	Component of cellophane used for food packaging.	do	Do.
Sodium oleyl sulfate.....	Component of cellophane used for food packaging.	do	Do.
Tetraethylenepentamine cross-linked with epichlorohydrin.....	Ion-exchange resin used in food processing.	do	Do.

d. The items "Copper-8-quinolate," "N-Monomethylamide * * *," and "4,4'-Oxybis (benzene sulfonhydrazide)" in § 121.91 are changed to read as follows:

Product	Specified uses or restrictions	Effective date of statute extended to—	Progress report required by—
.....
Copper-8-quinolate.....	Component of coating of paper and paperboard for food packaging.	June 30, 1964	Jan. 1, 1964
.....
N-Monomethylamide of O,O-dimethyl-dithiophosphoryl acetic acid.....	Residue in olive oil; limit 1.0 p.p.m.....	June 30, 1964	Jan. 1, 1964
.....
4,4'-Oxybis (benzene sulfonhydrazide).....	Component of sealing gaskets in caps for food containers.	June 30, 1964	Jan. 1, 1964

Notice and public procedure and delayed effective date are not necessary prerequisites to the promulgation of this order, and I so find, since extensions of time, under certain conditions, for the effective date of the food additive amendment to the Federal Food, Drug, and Cosmetic Act were contemplated by Public Law 87-19 as a relief of restrictions on the food-processing industry.

Effective date. This order shall become effective on the date of signature.

(Sec. 6(c), Public Law 85-929, as amended sec. 2, Public Law 87-19; 72 Stat. 1788, as amended 75 Stat. 42; 21 U.S.C., note under sec. 342)

Dated: August 8, 1963.

GEO. P. LARRICK,
 Commissioner of Food and Drugs.

[F.R. Doc. 63-8732; Filed, Aug. 15, 1963; 8:45 a.m.]

Title 39—POSTAL SERVICE
Chapter I—Post Office Department
PART 168—DIRECTORY OF INTERNATIONAL MAIL
Individual Country Regulations

The regulations of the Post Office Department in § 168.5 *Individual country regulations* are amended as follows:

I. In country "Argentina", under Postal Union Mail, the item *Observations* is amended to include revised invoice requirements. As so amended, the item reads as follows:

Observations. Parcels may be addressed to banks or other organizations for ultimate delivery to second addressees. The latter however may not take delivery without written authority from the first addressee, unless the sender

arranges for change of address as provided in Part 137 of this chapter.

Group shipment of parcels is permitted, but limited to three ordinary parcels in a group. See § 121.7 of this chapter.

Commercial invoices are required to accompany all packages except those containing noncommercial goods for personal use valued up to \$10.00 and limited to one per year for one addressee.

The invoices when required must be prepared in quadruplicate in prescribed form and legalized by an Argentine consulate, where mailers may be referred if they are not familiar with the required procedure. The Argentine Consulate General is located at 12 West 56th Street, New York 19, N.Y., and there are consulates in the following cities:

- Baltimore, Md. Los Angeles, Calif.
- Boston, Mass. Miami, Fla.
- Chicago, Ill. New Orleans, La.
- Houston, Tex. San Francisco, Calif.

Used clothing addressed to individuals is limited to 22 pounds per parcel. Each parcel containing used clothing must have enclosed a notarized and legalized statement from a dry-cleaning or disinfecting establishment that the clothing has been thoroughly cleaned or disinfected. After the statement has been notarized, the notarization must be certified by the county clerk or other competent official. The statement must then be sent to an Argentine consulate accompanied by a fee of \$7.40 for legalization. After the consulate returns the legalized statement, it must be enclosed in the parcel with the clothing. The wrapper of the parcel must be marked "Legalized disinfection certificate enclosed."

II. In country "Brazil", under Parcel Post, the second paragraph of the item *Prohibitions* is amended to show that gift articles valued under \$5.00 are admitted free of duty and without import permits. As so amended, the second paragraph reads as follows:

Prohibitions. * * * Persons desiring to mail parcels or postal union mail packages to Brazil should be informed that most commodities are subject to customs duty equal to or higher than their value, even if sent as gifts, and it is necessary for the addressees to make two or more trips to the post office to obtain delivery. Also, each parcel must be accompanied by an import permit which the addressee must obtain in advance and send to the mailer to be enclosed in the parcel. Only non-commercial commodities valued at \$5.00 or less, books and magazines in single copies mailed as printed matter, are admitted as gifts free of duty and without import permits. Senders should be cautioned that the Brazilian customs authorities may appraise articles at a higher valuation than that declared by the mailers resulting in the assessment of duty and penalties against the addressees. To be admitted as gifts,

packages must be addressed to individuals, not to firms.

III. In country "Bulgaria", make the following changes:

A. Under Postal Union Mail, amend the item *Prohibitions* to read as follows:

Prohibitions. Bulgarian currency, except with the permission of the Ministry of Finance of Bulgaria.

Postage stamps, unless exchanged between philatelists through the intermediary of the Postal Philatelic Service of Bulgaria. The articles must be addressed to that service, which delivers them to the addressees.

Samples of merchandise.

Printed matter, photographs, films, sound recordings, manuscripts, drawings, musical notes, and similar articles, except single copies for the personal use of the addressees and not contrary to Bulgarian laws and customs.

B. Under Parcel Post, amend the item *Prohibitions and import restrictions* to read as follows:

Prohibitions and import restrictions. The articles prohibited in the postal union mail are prohibited as parcel post.

Gift shipments mailed by commercial firms.

Medicines not approved by the Bulgarian Ministry of Health.

Import licenses are required for all commercial parcels, and for gift parcels if the customs duty thereon exceed 100 leva.

Used clothing must be accompanied by a certificate of disinfection. A notarized statement by a laundry or dry cleaner attesting that the clothing has been cleaned should meet the requirements of the Bulgarian Government.

IV. In country "Canada", under Parcel Post, amend the thirteenth paragraph of the item *Prohibitions* to read as follows:

Prohibitions * * *

Coins and banknotes, except as stated below; bullion and gold dust. Coins mailed by or addressed to collectors or dealers are admitted in uninsured parcels only. (Coins and banknotes are accepted in registered letters.)

V. In country "France (Including Monaco)", make the following changes:

A. Under Postal Union Mail, amend the item *Prohibitions* to read as follows:

Prohibitions. Coins, banknotes, negotiable values and instruments of payment (checks, letters of credit or drafts), securities and deeds, unless accompanied by a French import permit or unless imported by a bank.

Cigarette lighters using butane gas.

3. Under Parcel Post, make the following changes:

1. Amend the second paragraph of item *Observations* to read as follows:

Observations. * * *

Commercial shipments valued at more than 100 francs (about \$29) require a commercial invoice in triplicate. No invoice is required for gift shipments, regardless of value.

2. In the item *Prohibitions* delete the last paragraph, and amend the first,

seventh, eleventh, and fourteenth paragraphs to read as follows:

Prohibitions. For reasons of public safety:

* * * * *

For the protection of animals or plants: Bees, honey, and beeswax must be accompanied by a certificate of origin and noninfection issued by a qualified official approved by the Government. Shipments of honey not exceeding 4 kilograms do not require the certificate.

* * * * *

Coins, banknotes, negotiable securities and coupons, unless imported by the Bank of France or under its authorization.

* * * * *

Canned vegetables, fish, plums and nuts not bearing an indication of the country of origin by stamping, in plain raised or sunken letters at least 4 millimeters high, in the middle of the top or bottom and in a place not bearing inscription. Pure powdered saccharine may be imported only by the French Government. Other artificial sweetening materials are prohibited.

3. Delete the item *Import restrictions*.

VI. In country "Great Britain and Northern Ireland", under Postal Union Mail, the first paragraph of the item *Prohibitions and import restrictions* is amended to delete the prohibition against the sending of securities. As so amended, the first paragraph reads as follows:

Prohibitions and import restrictions. British treasury notes.

VII. In country "Hungary", under Parcel Post, the second paragraph of the item *Observations* is amended to show the prohibition against oranges and tangerines. As so amended, the second paragraph reads as follows:

Observations. * * *

Preserved food in tin cans or other hermetically sealed containers, oranges and tangerines are prohibited.

VIII. In country "Indonesia", under Parcel Post, amend the item *Prohibitions* by adding the following:

Prohibitions. * * *

Those printed in characters other than Latin, Arabic, Japanese or Russian require permission of the Indonesian Ministry of War to be imported.

IX. In country "Morocco", make the following changes:

A. Under Postal Union Mail, amend the item *Prohibitions and import restrictions* to read as follows:

Prohibitions and import restrictions. Manufactured and unmanufactured platinum gold or silver; jewelry and other precious articles.

B. Under Parcel Post, make the following changes:

1. Amend the item *Prohibitions* by adding the following:

Prohibitions. * * *

Coins and banknotes, unless imported by the Bank of Morocco or other approved banks.

For sanitary reasons: Foods and beverages to which antiseptic or coloring substances have been added.

2. Amend the item *Import restrictions* by adding "radio receivers" to the list of items requiring special licenses.

X. In country "Niger (Republic of)", make the following changes:

A. Under Postal Union Mail, add the following item:

Prohibitions and import restrictions. Articles prohibited or restricted as parcel post are prohibited or restricted in the postal union mail.

B. Under Parcel Post, add the following items:

Prohibitions. Arms, etc.: Daggers, sword-canes, blackjacks, brass knuckles and other secret weapons, except firearms (see "Import restrictions").

For other reasons: Foreign products, natural or manufactured, having markings, labels or wrappings of any kind which may give the impression that they are of French origin. Articles bearing the "Red Cross" or "Geneva Cross" as a trademark. Foreign products from a place having the same name as a place in France must bear, in addition to the name of that place, the name of the country of origin and the word "Importe" (imported) very conspicuously.

Preserved fish, vegetables and plums must bear on each container an indication of the country of origin in raised or sunken letters at least 4 millimeters ($\frac{3}{8}$ inch) high, in the middle of the lid and of the bottom, in a space not bearing any inscription. Cases and wrappers containing these products must bear adhering letter indicating the country of origin. Boxes of fish must not in any case exceed 1 kilogram.

Weights and measures not of the metric system.

Cigarettes unless each package is marked "Vente au Niger" (sale in Niger).

Import restrictions. The attention of senders should be called to the following requirements, which are to be met by addressees:

The following articles require special authorization for delivery: Phonograph records; Arabic books and prints; distilling apparatus; saccharine; flavoring and coloring materials; firearms and airguns.

XI. In country "Saudi Arabia (Kingdom of)", under Postal Union Mail, amend the item *Prohibitions* to read as follows:

Prohibitions. Coins, paper money, manufactured or unmanufactured platinum, gold or silver, precious stones, jewelry, and other precious articles.

Articles prohibited as parcel post are prohibited or restricted in the postal union mail.

XII. In country "Turkey", make the following changes:

A. Under Postal Union Mail, amend the first paragraph of the item *Prohibitions and import restrictions* by adding "Values payable to bearer" thereto.

B. Under Parcel Post, amend the item *Prohibitions* by deleting "rags and waste" from the first paragraph and "Coffee in excess of 2 pounds 3 ounces per month

for one addressee" in the tenth paragraph therein.

(R.S. 161, as amended; 5 U.S.C. 22, 39 U.S.C. 501, 505)

LOUIS J. DOYLE,
General Counsel.

[F.R. Doc. 63-8779; Filed, Aug. 15, 1963;
8:49 a.m.]

Title 41—PUBLIC CONTRACTS

Chapter 5D—Transportation and Communications Service, General Services Administration

A new Chapter 5D is added to Title 41 as follows:

Part
5D-1 General.

PART 5D-1—GENERAL

Sec.	
5D-1.000	Scope of part.
	Subpart 5D-1.1—Introduction
5D-1.101	Scope of subpart.
5D-1.102	Establishment of Chapter 5D, General Services Administration Procurement Regulations.
5D-1.103	Relationship of Chapter 5D to the FPR and Chapter 5, GSPR.
5D-1.104	Applicability.
5D-1.105	Exclusions.
5D-1.106	Method of issuance.
5D-1.107	Arrangement.
5D-1.107-1	General plan.
5D-1.107-2	Numbering.
5D-1.107-3	Cross-references.
5D-1.108	Citation.
5D-1.109	Deviation.

AUTHORITY: §§ 5D-1.000 to 5D-1.109 issued under sec. 205(c), 63 Stat. 390, 40 U.S.C. 486 (c); and 41 CFR 5-1.101(c), 28 F.R. 4559.

§ 5D-1.000 Scope of part.

This part describes the method by which the Transportation and Communications Service implements and supplements the Federal Procurement Regulations (Chapter 1 of Title 41, Code of Federal Regulations) and the GSA-wide procurement policies and procedures (Chapter 5 of the General Services Administration Procurement Regulations (GSPR)). In addition, it contains policies and procedures which implement and supplement Chapter 1 and Chapter 5.

Subpart 5D-1.1—Introduction

§ 5D-1.101 Scope of subpart.

This subpart establishes Chapter 5D of the General Services Administration Procurement Regulations (41 CFR Chapter 5D), states its relationship to the Federal Procurement Regulations (FPR) and GSPR Chapter 5, and sets forth other introductory information.

§ 5D-1.102 Establishment of Chapter 5D, General Services Administration Procurement Regulations.

This Chapter 5D of the GSPR is prescribed by the Commissioner, Transportation and Communications Service, and is established to provide all Transportation and Communications Service (TCS) activities with additional uniform policies and procedures applicable to the pro-

urement of personal property and non-personal services.

§ 5D-1.103 Relationship of Chapter 5D to the FPR and Chapter 5, GSPR.

(a) GSPR Chapter 5D implements and supplements the FPR and GSPR Chapter 5. Implementing material is that which expands upon related FPR or Chapter 5 material. Supplementing material is that for which there is no counterpart in the FPR or GSPR Chapter 5.

(b) Material published in the FPR and GSPR Chapter 5 becomes effective throughout TCS upon the effective date of the particular FPR or GSPR Chapter 5 material. Such material will not be repeated, paraphrased, or restated in Chapter 5D. Therefore, all three must be reviewed to obtain comprehensive coverage of TCS-wide procurement policies and procedures.

(c) Material in Chapter 5D implements and supplements but does not supersede the FPR or GSPR Chapter 5, unless a deviation from FPR or GSPR Chapter 5 has been authorized and such deviation is explicitly referenced. In cases of conflict or when Chapter 5D contains no related material implementing the FPR or Chapter 5, the FPR or Chapter 5 will govern.

§ 5D-1.104 Applicability.

Chapter 5D applies to all purchases and contracts made by TCS for the procurement of personal property and non-personal services (including TCS-related construction).

§ 5D-1.105 Exclusions.

(a) Certain TCS procurement policies and procedures which come within the scope of this chapter nevertheless may be excluded therefrom when there is justification. These exclusions include the following categories:

- (1) Subject matter which bears a security classification.
- (2) Policies or procedures which are expected to be effective for a period of less than six months.
- (3) Policies or procedures which are effective on an experimental basis for a reasonable period.
- (4) Policies or procedures pertaining to other functions of TCS, as well as to procurement functions and there is need to make the issuance available simultaneously to all TCS employees concerned.

(5) When speed of issuance is essential, numerous changes are required, and all necessary changes cannot be made promptly.

(b) TCS procurement policies and procedures issued in other than the FPR system format under paragraphs (a) (4) and (5), above, will be codified into Chapter 5D at the earliest practicable date, but in any event not later than six months from date of issuance.

§ 5D-1.106 Method of issuance.

(a) All Chapter 5D material deemed necessary for business concerns, and others interested, to understand TCS procurement policies and procedures will be published in the FEDERAL REGISTER. Other related material also may be pub-

lished in the FEDERAL REGISTER when its inclusion will provide a logical, comprehensive statement of TCS procurement policies and procedures.

(b) Chapter 5D material published in the FEDERAL REGISTER will be published in cumulative form in Chapter 5D of Title 41 of the Code of Federal Regulations. The FEDERAL REGISTER and Title 41 of the Code of Federal Regulations may be purchased from the Superintendent of Documents, Government Printing Office, Washington 25, D.C.

§ 5D-1.107 Arrangement.

§ 5D-1.107-1 General plan.

Chapter 5D is divided into parts, subparts, sections, subsections, and further subdivisions as necessary.

§ 5D-1.107-2 Numbering.

(a) Generally, the numbering system used in Chapter 5D conforms to that of the FPR (see § 1-1.007-2). Thus, a particular procurement policy or procedure is identified by the same number in the FPR, GSPR Chapter 5, and Chapter 5D, except that the first digit of the number is either 1, 5, or 5D.

(b) When Chapter 5D implements a part, subpart, section, or subsection of the FPR or GSPR Chapter 5, the implementing part, subpart, section, or subsection of Chapter 5D will be numbered (and captioned) to correspond to the FPR or the Chapter 5 part, subpart, section, or subsection.

(c) When Chapter 5D supplements the FPR or Chapter 5 and thus deals with subject matter not contained in the FPR or Chapter 5, the numbers in the group 70 through 89 will be assigned to the respective supplementing parts, subparts, sections, or subsections.

(d) When the subject matter contained in a part, subpart, section, or subsection of the FPR or Chapter 5 requires no implementation, Chapter 5D will contain no corresponding part, subpart, section, or subsection number. Thus, there may be gaps in the Chapter 5D series of part, subpart, section, or subsection numbers. In such cases, reference must be made to the FPR and Chapter 5 for policy and procedure applicable throughout TCS.

§ 5D-1.107-3 Cross-references.

(a) Within Chapter 5D, cross-references to the FPR and GSPR Chapter 5, will be made in the same manner as used within the FPR and Chapter 5. Illustrations of cross-references to Chapter 5 are:

- (1) Part 5-2.
- (2) Subpart 5-2.2.
- (3) § 5-2.203-1.

(b) Within Chapter 5D, cross-references to parts, subparts, and sections will be made in a manner generally similar to that used in making cross-references to the FPR and Chapter 5. For example, this paragraph would be referenced as "§ 5D-1.107-3(b)."

§ 5D-1.108 Citation.

(a) Citation in formal documents, such as contracts, shall give the number of the part, subpart, or section of Chapter 5D following the words "General

Services Administration Procurement Regulations" and shall include an appropriate reference to "41 CFR _____" where the material has been published in the FEDERAL REGISTER.

(b) Any section of Chapter 5D, for purpose of brevity, may be informally identified as "GSPR" followed by the section number. For example, this paragraph would be identified as "GSPR 5D-1.108(b)."

§ 5D-1.109 Deviations.

(a) The term "deviation" as used in this Chapter 5D is defined in the same manner as described in § 1-1.009-1.

(b) In order to maintain uniformity to the greatest extent feasible, deviation by TCS activities from this Chapter 5D will be kept to a minimum and controlled as follows:

(1) Requests for authority to deviate from Chapter 5D shall be submitted to the Commissioner, TCS. Such requests will be supported by statements adequate to disclose fully the nature of the deviation and the reasons for special action.

(2) Authorized deviations will expire 12 months from date of approval, unless extended or sooner rescinded without prejudice to any action taken thereunder.

Effective date. These regulations are effective upon publication in the FEDERAL REGISTER.

Dated: August 9, 1963.

MALCOLM D. MILLER,
Acting Commissioner, Transportation and Communications Service.

[F.R. Doc. 63-8787; Filed, Aug. 15, 1963; 8:51 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 3193]

[Washington 04567]

WASHINGTON

Power Site Cancellation No. 186; Partly Cancelling Power Site Classification No. 349; Opening Lands Subject to Section 24 of the Federal Power Act

By virtue of the authority contained in the Act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and in section 24 of the Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended, and pursuant to the determination of the Federal Power Commission docketed as DA-189-Washington, it is ordered as follows:

1. The departmental order of June 22, 1944, creating Power Site Classification No. 349, is hereby cancelled so far as it affects the following-described lands:

WILLAMETTE MERIDIAN

T. 26 N., R. 22 E.,
Sec. 8, lot 1.

Containing 20.50 acres.

2. In DA-189-Washington, the Federal Power Commission determined that the power value of the lands described in paragraph 1, above, withdrawn for power purposes for Project No. 2145 will not be materially injured or destroyed by restoration to location, entry or selection under the public land laws subject to the provisions of section 24 of the Federal Power Act; subject also to the prior right of the licensee for Project No. 2145, or its successors or assigns, to use said lands for power purposes as contemplated in the license issued therefor; and subject further to the condition that the United States, its permittees or licensees shall not be held liable for any damages to structures or improvements placed on the lands resulting from the operation and maintenance of Project No. 2145.

3. Until 10:00 a.m. on February 11, 1964, the State of Washington shall have (1) a preferred right of application to select the lands in accordance with subsection (c) of section 2 of the Act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852), and (2) a preferred right to apply for the reservation to the State or to any of its political subdivisions, under any statute or regulation applicable thereto, of any of the lands required for a right-of-way for a public highway or as a source of materials for the construction and maintenance of such highway, in accordance with provisions of section 24 of the Federal Power Act, supra.

4. This order shall not otherwise be effective to change the status of the lands until 10:00 a.m. on February 11, 1964. At that time they shall be open to the operation of the public land laws generally, subject to valid existing rights and equitable claims, the requirements of applicable law, and the provisions of any existing withdrawals. All valid applications received prior to 10:00 a.m. on September 17, 1963, other than from the State of Washington, shall be considered as simultaneously filed at that time.

5. The lands have been open to applications and offers under the mineral leasing laws, and to location under the United States mining laws subject to the provisions of the Act of August 11, 1955 (69 Stat. 682; 30 U.S.C. 621).

6. Any disposals of the lands described in this order shall be subject to the provisions of section 24 of the Federal Power Act, and to the prior rights and conditions specified by the Federal Power Commission in its determination, DA-189-Washington.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Spokane, Wash.

JOHN A. CARVER, JR.,
Assistant Secretary of the Interior.

AUGUST 12, 1963.

[F.R. Doc. 63-8773; Filed, Aug. 15, 1963; 8:48 a.m.]

[Public Land Order 3194]

[Arizona 032553]

ARIZONA

Modifying Reclamation Withdrawals; Salt River Project

By virtue of the authority contained in section 3 of the Act of June 17, 1902 (32 Stat. 338; 43 U.S.C. 416), it is ordered as follows:

The departmental orders of December 4, 1908 and October 26, 1920 and Bureau of Reclamation order of December 19, 1947, concurred in by the Bureau of Land Management on February 10, 1948, which withdrew lands for reclamation purposes in connection with the Salt River Project, are hereby modified to the extent necessary to permit the granting of a highway right-of-way under section 2477, U.S. Revised Statutes (43 U.S.C. 932), to the Maricopa County Highway Department for construction of a highway over the lands hereinafter described, and as shown on maps on file in the Bureau of Land Management in Arizona 032553 as a part of the application, conditioned upon the execution by the applicant of the stipulations (Form 300-8) specified by the Bureau of Reclamation:

GLA AND SALT RIVER BASE AND MERIDIAN

T. 2 N., R. 6 E.,

Sec. 27, S. 55 feet of S $\frac{1}{2}$; Sec. 28, S. 55 feet of SE $\frac{1}{4}$; Sec. 33, N. 55 feet of N $\frac{1}{2}$ NE $\frac{1}{4}$.

Containing approximately 13 acres.

JOHN A. CARVER, JR.,
Assistant Secretary of the Interior.

AUGUST 12, 1963.

[F.R. Doc. 63-8774; Filed, Aug. 15, 1963; 8:48 a.m.]

[Public Land Order 3195]

[Washington 04692]

WASHINGTON

Power Site Restoration No. 589, Revocation of Executive Order of March 21, 1917 Which Created Power Site Reserve No. 592

By virtue of the authority vested in the President by section 1 of the Act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

The Executive Order of March 21, 1917, which withdrew lands in certain sections in the following townships lying within 50 feet of the center line of the right-of-way shown on the map filed on April 22, 1914, as part of the application (Water-ville 012855) of the Okanogan Valley Power Company, as Power Site Reserve No. 592, totaling approximately 21 acres, is hereby revoked:

WILLAMETTE MERIDIAN

T. 30 N., R. 24 E.,

Sec. 1, W $\frac{1}{2}$ NW $\frac{1}{4}$;

Sec. 2, NE $\frac{1}{4}$ NE $\frac{1}{4}$;

Sec. 23, N $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 24, SE $\frac{1}{4}$ SE $\frac{1}{4}$, and N $\frac{1}{2}$ SW $\frac{1}{4}$.

T. 29 N., R. 25 E.,

Sec. 3, lot 2.

T. 30 N., R. 25 E.,
Sec. 33, SE $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 32 N., R. 25 E.,
Sec. 8, lot 6;
Sec. 19, lot 5, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and SW $\frac{1}{4}$;
Sec. 30, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$.

The lands affected have either been patented, or are included in other withdrawals for water power purposes, or have been subject to the general determination of the Federal Power Commission issued April 17, 1922.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

AUGUST 12, 1963.

[F.R. Doc. 63-8775; Filed, Aug. 15, 1963;
8:49 a.m.]

Title 45—PUBLIC WELFARE

Subtitle A—Department of Health, Education, and Welfare, General Administration

PART 10—DEPARTMENTAL FELLOWSHIP REVIEW PANEL

Part 10 establishes procedures for providing hearings before a fellowship (or traineeship) is denied or terminated on grounds involving moral character or loyalty of the applicant or holder in cases where an opportunity for such a hearing is provided for by the constituent agency making the award. Pertinent regulations of the Office of Education and the Vocational Rehabilitation Administration are published simultaneously with these Departmental regulations. Part 10 reads as follows:

- Sec.
10.1 Purpose.
10.2 Definitions.
10.3 Departmental Fellowship Review Panel; Departmental Fellowship Review Board; in general.
10.4 Procedural safeguards.
10.5 Hearing before Board or a Hearing Officer.
10.6 Preliminary decision; initial decision; final decision.
10.7 Notice to the individual concerned and opportunity to submit comment on preliminary decision and initial decision.

AUTHORITY: §§ 10.1 to 10.7 issued under 5 U.S.C. 22.

§ 10.1 Purpose.

This part establishes a Departmental Fellowship Review Panel, from which Departmental Fellowship Review Boards will be selected, for the purpose of providing hearings where an opportunity for such hearing is provided for in applicable procedures of a constituent agency, in cases where such constituent agency has found substantial reason for a belief that a fellowship (or traineeship) award should be denied or discontinued by the constituent agency making the award, on grounds involving, in accordance with applicable criteria, the moral character or loyalty of the applicant for, or holder of, the award.

§ 10.2 Definitions.

(a) "Departmental Fellowship Review Panel" (also referred to as "Panel") means a panel of 12 members selected by

the Secretary, for such terms as may be designated by him, which shall include at least four representatives of the legal discipline and at least four representatives of the field of higher education. At least eight members of the Panel shall be selected from sources outside the Department.

(b) "Panel Chairman means one of the Panel members designated by the Secretary to serve as Chairman of the Panel for such time as shall be indicated in the designation.

(c) "Departmental Fellowship Review Board" (also referred to as "Board") means not less than three members of the Panel designated by the Panel Chairman for the consideration of one or more cases submitted by a constituent agency. At least two Board members shall be persons other than employees of the Department, and the Board shall include at least one representative of the legal discipline and one from the field of higher education. In no event shall anyone who participated in any previous consideration of a case be eligible to serve on a board in connection with its consideration of that case. The Panel Chairman may designate himself as one of the members of a Board or as the Chairman thereof.

(d) "Board Chairman" means a member of a Departmental Fellowship Review Board who has been designated as Chairman of such Board by the Panel Chairman.

(e) "Constituent agency" means the U.S. Commissioner of Education or the Commissioner of Vocational Rehabilitation.

(f) "Submission by a constituent agency" means a referral (of an individual's request for a hearing) by the U.S. Commissioner of Education pursuant to § 147.5 of this title or by the Commissioner of Vocational Rehabilitation pursuant to § 401.88a of this title, or similar provisions contained in manual or other issuances of a constituent agency.

(g) "Preliminary decision" means the recommended decision, including findings of fact and conclusions reached in the light of the applicable criteria, prepared by a Hearing Officer and submitted to the Board.

(h) "Initial decision" means the recommended decision of the Board, which shall include (1) findings of fact and conclusions reached in the light of the applicable criteria and, when applicable, (2) the reasons for any changes or modifications made by the Board in a preliminary decision.

(i) The words "Department" and "Departmental" refer to the U.S. Department of Health, Education, and Welfare.

(j) "Secretary" means the Secretary of Health, Education, and Welfare.

(k) "Applicable criteria" means those set forth in § 147.4 of this title in the case of a submission by the Commissioner of Education; or in § 401.88a (a) and (b) of this title in the case of a submission by the Commissioner of Vocational Rehabilitation; or in manual or other issuances of a constituent agency pertaining to denial or discontinuance of fellowship (or traineeship) awards on grounds involving moral character or loyalty.

§ 10.3 Departmental Fellowship Review Panel; Departmental Fellowship Review Board; in general.

Upon receipt of a submission from a constituent agency, the Chairman of the Departmental Fellowship Review Panel shall refer the case to a Departmental Fellowship Review Board, constituted as provided in § 10.2(c), for the purpose of recommending to the constituent agency, on the basis of a preponderance of the evidence, after affording to the individual concerned an opportunity for a fair hearing, whether the fellowship (or traineeship) award should be denied or discontinued by the constituent agency making the awards, on grounds involving, in accordance with applicable criteria, the moral character or loyalty of the applicant for, or holder of the award. The Board's recommendation shall be embodied in an initial decision in accordance with § 10.2(h).

§ 10.4 Procedural Safeguards.

The Board shall take appropriate steps to afford the individual concerned an opportunity for a fair hearing, which shall include provisions designed to assure to such individual the following:

(a) Sufficient notice of the issues to be considered;

(b) An opportunity to be represented by counsel;

(c) Disclosure of as much of all matters of an evidentiary nature as may be permitted within the framework of applicable laws, regulations, and other requirements (e.g., those pertaining to FBI reports);

(d) An opportunity to appear in person (and to present witnesses in his behalf) or, at the option of the individual concerned, to submit his case in whole or in part in writing (e.g., through interrogatories, affidavits, exhibits, etc.);

(e) An opportunity to cross-examine persons either orally or through written interrogatories, to the extent provided by Executive Order 10865 of February 20, 1960 (relating to safeguarding of classified information within industry), except that functions vested by that Order in the head of a department shall be performed by the head of the appropriate operating agency;

(f) An option to the individual concerned to have the hearing open or closed to the public;

(g) A determination of the place of the hearing which takes into consideration the convenience of the individual concerned and any witnesses who might be testifying at the hearing.

§ 10.5 Hearing before Board or a Hearing Officer.

The hearing may be conducted, as determined by the Board Chairman, before the full Board as the hearing body, or before a Hearing Officer. The Hearing Officer may be (a) one of the members of the Board or (b) a nonmember who is qualified as a Hearing Officer under the Administrative Procedure Act.

§ 10.6 Preliminary Decision; Initial Decision; Final Decision.

When the hearing is conducted by the Board itself, it shall prepare an initial decision for submission to the constituent

ent agency. When the hearing is conducted before a Hearing Officer, the Hearing Officer shall prepare a preliminary decision for submission to the Board. The preliminary decision shall be reviewed by the Board and shall become the initial decision of the Board unless, and to the extent that, it is changed or modified by the Board. The initial decision of the Board shall be transmitted to the constituent agency, and shall become the final decision of the constituent agency, unless, and to the extent that, it is changed or modified by the constituent agency.

§ 10.7 Notice to the individual concerned and opportunity to submit comment on preliminary decision and initial decision.

Copies of the preliminary decision, if any, and of the initial decision shall be mailed promptly by the Hearing Officer or the Board, as the case may be, to the individual, or his counsel, with a notice affording him an opportunity to submit written comments thereon, within a specified reasonable time, to the Board in the case of a preliminary decision, and to the constituent agency in the case of an initial decision.

Dated: August 13, 1963.

[SEAL] ANTHONY J. CELEBREZZE,
Secretary of Health,
Education, and Welfare.

[F.R. Doc. 63-8789; Filed, Aug. 15, 1963;
8:52 a.m.]

Chapter I—Office of Education, Department of Health, Education, and Welfare

PART 147—PROCEDURES AND CRITERIA FOR RESOLVING QUESTIONS INVOLVING MORAL CHARACTER OR LOYALTY OF APPLICANTS FOR AND HOLDERS OF NDEA FELLOWSHIPS

Part 147 establishes procedures and criteria for resolving questions involving the moral character or loyalty of an applicant for, or holder of, an NDEA Fellowship including an opportunity for a hearing by a Departmental Fellowship Review Board before denial or termination of the fellowship on such grounds.

Part 147 reads as follows:

- Sec.
147.1 Purpose.
147.2 Definitions.
147.3 Separate consideration of professional or academic qualifications and affirmative declaration as to convictions or pending criminal charges and allegations or complaints by third parties.
147.4 Substantive criteria.
147.5 Procedures; Special Review Committee.

AUTHORITY: §§ 147.1 to 147.5 issued under sec. 1001, 72 Stat. 1602, 20 U.S.C. 581.

§ 147.1 Purpose.

This part establishes procedures and criteria, including an opportunity for a

hearing by a Departmental Fellowship Review Board, for resolving questions arising as to whether the making or continuation of an NDEA Fellowship award would be not in the best interests of the United States on grounds involving the moral character or loyalty of the applicant for, or holder of, such fellowship.

§ 147.2 Definitions.

(a) "Special Review Committee" (also referred to as "Committee") means a body composed of the Associate Commissioner and the Deputy Associate Commissioner of the Bureau of Educational Assistance Programs, and of the Director of the Division of College and University Assistance, Office of Education, and such additional persons, if any, from sources within or outside the Department as may be designated from time to time by the Commissioner.

(b) "Act" means the National Defense Education Act of 1958, as amended (20 U.S.C. 401).

(c) "NDEA Fellowship" (also referred to as "fellowship" and as "award") means an award made by the Commissioner to an individual under Title IV or under section 601(b) of the Act.

(d) The terms "Departmental Fellowship Review Panel" and "Departmental Fellowship Review Board" refer to the Panel and Board defined in the departmental regulations (Part 10 of this title).

(e) The terms "Department" and "departmental" refer to the Department of Health, Education, and Welfare.

(f) "Commissioner" means the Commissioner of Education, Department of Health, Education, and Welfare.

(g) "Oath or affirmation of allegiance" means the oath or affirmation required under section 1001(f) (1) of the Act.

§ 147.3 Separate consideration of professional or academic qualifications and affirmative declarations as to convictions or pending criminal charges and allegations or complaints by third parties.

In order that objectivity may be maintained in the selection of candidates (and in any decisions as to termination of a fellowship) on the basis of scholarly achievement and potential, no advisory group or panel involved in making any recommendations as to the selection of persons for NDEA Fellowships, or in the making of any recommendations as to their retention as such Fellows, will be made aware of any affirmative or negative criminal declarations made pursuant to section 1001(f) (2) of the Act, nor of any other information (such as third-party allegations) other than that developed in connection with the submission and processing of the application for academic considerations.

§ 147.4 Substantive criteria.

(a) An NDEA Fellowship award will be denied or discontinued where: (1) The oath or affirmation of allegiance was not taken or cannot be taken in good faith; or (2) there is (i) a conviction of a crime involving moral turpitude, or (ii) conduct involving moral turpitude,

unless it is established that the applicant or fellowship holder is, nevertheless, now a person of good moral character.

(b) These criteria are subject to continuing review and may be revised from time to time as experience and circumstances may make it desirable.

§ 147.5 Procedure: Special Review Committee.

(a) Affirmative declarations made pursuant to section 1001(f) (2) of the Act or allegations and complaints by third parties pertaining to any individual who is the holder of an NDEA Fellowship or who has been tentatively selected for such a fellowship on the basis of academic consideration shall be referred to a Special Review Committee. This Committee will make recommendations to the Commissioner as to whether there is substantial reason (pertaining to the moral character or loyalty of the individual concerned in accordance with § 147.4) for a belief that the making or continuation of the award would be not in the best interests of the United States. The Committee may supplement the information referred to it by such correspondence, personal interviews or other informal methods as may be necessary in order to make the aforementioned determination.

(b) If, after review of the recommendations of the Special Review Committee, the Commissioner is of the opinion that there is substantial reason (pertaining to the moral character or loyalty of the individual concerned in accordance with § 147.4) for a belief that the making or continuation of the award would be not in the best interests of the United States, such individual shall be advised by written notice that a question or questions have arisen involving moral character or loyalty, and that upon request he will be afforded a hearing thereon in accordance with departmental regulations. A copy of the regulations under this part and a copy of the departmental regulations (Part 10 of this title), shall be enclosed with the notice, which shall, in addition, (1) set forth, in as much detail and as specifically as considerations of security may permit, the information raising the questions pertaining to moral character or loyalty and (2) advise that unless a request for a hearing is made within 20 days of the mailing of such notice, the fellowship will be denied or discontinued. If a hearing is requested, the case will be submitted by the Commissioner to the Chairman of the Departmental Fellowship Review Panel for handling in accordance with the departmental regulations.

[SEAL] FRANCIS KEPPEL,
U.S. Commissioner of Education.

Approved: August 13, 1963.

ANTHONY J. CELEBREZZE,
Secretary of Health, Education,
and Welfare.

[F.R. Doc. 63-8788; Filed, Aug. 15, 1963;
8:52 a.m.]